

REMARKS

Upon entry of this response and amendment, claim 21 and previously withdrawn claims 7-19 are pending in this application. Claims 1-6 and 20 have been canceled without prejudice or disclaimer to the subject matter contained therein. Claim 7 has been amended to depend from claim 21 and to incorporate the formula of claim 21 into the process claimed therein. Claims 7-19 remain withdrawn, subject to Applicants' request for rejoinder. Claims 4-6 and 20 were previously canceled, and claims 1-3 are canceled by this response and amendment.

Applicants respectfully submit that the amendments do not introduce new matter within the meaning of 35 U.S.C. §132. Basis for the claim amendments is found on pages 8; in claims 1-19 as originally filed; and elsewhere throughout the specification and claims. Accordingly, entry of the amendments is respectfully requested.

1. Continued Prosecution Application

Applicants hereby acknowledge the Examiner's re-opening of prosecution based on the Request for Continued Examination filed on December 10, 2004. This response and amendment is filed in reply to the Office Action mailed on March 24, 2005.

2. Restriction

Applicants have previously requested rejoinder of claims 7-19, directed to a process for making the inventive compounds, which have the same limitations as, or are dependent from, the compound claims as ultimately allowed, under the **mandatory** rejoinder provisions of MPEP §821.04. Applicants have amended claim 7 to depend from allowed claim 21, and to incorporate the structure of the formula of the compound claimed in claim 21 into claim 7. Thus, Applicants submit that the conditions for mandatory rejoinder of claims 7-19 are now met, and respectfully request that the Examiner rejoin claims 7-19 with allowed claim 21.

3. Rejection of Claims 1 and 2 under 35 U.S.C. §103(a)

The Examiner rejects claims 1 and 2 under 35 U.S.C. §103(a) as being unpatentable over Raman et al. (U.S. Pat. 6,346,539) for the reasons stated in the Office Action.

RESPONSE

Applicants respectfully traverse this rejection and respectfully request reconsideration and withdrawal thereof.

Applicants have canceled claims 1 and 2 without prejudice or disclaimer to the subject matter contained therein. Thus, Applicants have removed the basis for this rejection, and accordingly, Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

4. Allowable Subject Matter

The Office Action indicates that claim 21 is allowable over the art of record. Applicants thank the Examiner for this indication, and have amended previously withdrawn claim 7 to depend from allowed claim 21, thus facilitating rejoinder of the withdrawn claims in the application.

CONCLUSION

Based upon the above amendments and remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to rejoin and allow claims 7-19 as being dependent on, and containing the limitations of, allowed claim 21. Favorable action with an early allowance of the claims

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pending in this application is earnestly solicited.

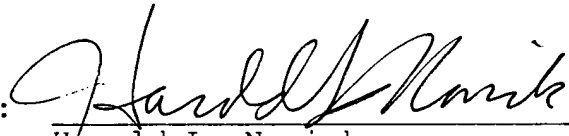
The Examiner is welcomed to telephone the undersigned attorney
if she has any questions or comments.

Respectfully submitted,

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